



State of New Jersey

THE PINELANDS COMMISSION

PO Box 7

NEW LISBON NJ 08064

(609) 894-7300

CHRISTINE TODD WHITMAN
Governor

August 5, 2000

New Jersey Department of Transportation
Robert C. Bousenberry, Project Manager
1035 Parkway Avenue
P.O. 600
Trenton, New Jersey 08625RE: Authorization for Freshwater Wetlands Statewide General Permit, Water Quality CertificationApplicant Name: New Jersey Department of Transportation
NJDEP File No: 0332-00-0002.1
Pinelands Commission Application No. 99-0439.02
General Permit No.: 10
Statute: N.J.S.A. 13:9B-1 et. seq.
Effective date : August 5, 2000 Expiration date: August 5, 2005
Shamong Township, Burlington County
Intersection of Route 206 and Indian Mills Road and Intersection
Of Route 206 and Stokes Road
Mullica River Watershed; Atlantic Drainage Basin
Nearest Waterway: Springers Brook, Muskingham Brook

Dear Mr. Sir or Madam:

Pursuant to a Memorandum of Agreement between the New Jersey Pinelands Commission and the New Jersey Department of Environmental Protection, the Pinelands Commission has reviewed the above-referenced application for a Freshwater Wetlands Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. **The proposed activity is authorized by Freshwater Wetlands Statewide General Permit 10** that allows minor road crossing fills and expansion of existing road crossing fills including attendant features, both temporary and permanent.

Limit of Authorized Disturbance

Based on plans entitled "Intersection Improvements at Stokes Road and Indian Mills Road," consisting of 91 sheets, dated April 24, 2000 prepared by the State of New Jersey, Department of Transportation, the authorized activity involves a total of 0.0126 acres of wetlands and/or State open waters along the project area. Any additional disturbance of freshwater wetlands or State open waters shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity

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is exempt or a permit is obtained prior to the start of the disturbance.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et. seq.).

Special Conditions

1. In any wetlands area that is temporarily disturbed, the upper 18 inches of material in any backfilled area must consist of the original topsoil and the backfilled area shall be returned to the pre-existing elevation.
2. All wetland areas that are temporarily disturbed as a part of this project shall be restored immediately following the final grading of these areas.
3. The applicant shall utilize only suitable, clean, non-toxic fill material.
4. The development shall adhere to the conditions of the Pinelands Commission's approval of Application Number 99-0439.01.

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A 9.2 and 9.3, the following general conditions must be met for the activity authorized under this Statewide General Permit:

General Conditions

1. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with the "Standards for Soil Erosion and Sediment Control in New Jersey" (obtainable from local Soil Conservation District Offices), or equal engineering specifications, to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. This permit is revocable, or subject to modification or change at any time, when in the judgment of the Department of Environmental Protection of the State of New Jersey, such revocation, modification or change shall be necessary.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department or the Commission on any further application.
4. The activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.

5. No change in plans or specifications shall be made except with the prior written permission of the Commission.
6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Commission, the Department or the State a party in any suit or question of ownership of the property.
7. This authorization is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
8. A copy of this authorization shall be kept at the work site and shall be exhibited upon request of any person.

Water Quality Certificate

This letter of authorization to conduct a regulated activity in a wetland or open water includes the approval of a Water Quality Certificate for these activities from the Department's Land Use Regulation Program.

Duration of Authorization/Notification of Work

This authorization for a Statewide General Permit is valid for a term not to exceed five years from the date of this letter. If the term of the authorization exceeds the expiration date of the general permit issued by rule, and the permit upon which the authorization is based is modified by rule to include more stringent standards or conditions, or is not reissued, the applicant must comply with the requirements of the new regulations by applying for a new GP authorization or an Individual permit.

The permittee shall allow an authorized Program representative the right to inspect the construction site. The permittee will notify, in writing, the Office of Enforcement Policy, Land Use Enforcement, 1510 Hooper Avenue, Toms River, New Jersey 08753, and the Pinelands Commission, P.O. Box 7, New Lisbon, NJ 08064, 7 days prior to commencement of work authorized by this letter.

Appeal of Decision

The applicant or other affected party, if aggrieved by this decision to authorize the activities specified in this correspondence, may request a hearing on this decision by submitting a written request for an administrative hearing within 30 days of the date of this decision to:

Office of Legal Affairs
ATTENTION: Adjudicatory Hearing Request
Department of Environmental Protection
401 East State St.
CN 402

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Trenton, NJ 08625-0402

This written request must include a completed copy of the attached Administrative Hearing Request Checklist and all information identified in Section III of that list. A copy of the request should be forwarded to the Pinelands Commission, P.O. Box 7, New Lisbon, NJ 08064. If you have any questions regarding this Freshwater Wetlands Statewide General Permit authorization, please contact Karen Young of our staff at (609) 894-9300. Please reference the permit number in any communication concerning this action.

Sincerely,

Kathleen Swigon for
William F. Harrison, Esq.
Assistant Director

cc: Shamong Township Clerk
Shamong Township Planning Board
Shamong Township Environmental Commission
Secretary, Burlington County Planning Board
Mary Vickers, NJDEP Land Use Regulation Program
Susan Uibel
Karen Young
Kathy Swigon

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